



Doyle Docket No. 24180-124005

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln. of Richards, et al.

Appln. No. ¹⁰/046,500

Filed: October 24, 2001


For: POLYPROPYLENE CONTAINER AND
PROCESS FOR MAKING THE SAME

)
) Examiner: Sandra M. Nolan

)
) Group Art Unit: 3727

)
) Certificate of Mailing

) I, hereby certify that this correspondence (along with any
) documents referred to as attached or enclosed) is being deposited
) with the US Postal Service as first class mail in an envelope
) addressed to: Commissioner for Patents, P.O. Box 1450,
) Alexandria, VA 22313-1450, on March 19, 2004.

)
) 
) _____
) Matthew E. Leno, Reg. No. 41,149

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

In accordance with 37 CFR §§ 1.56, 1.97 and 1.98, the references listed on the attached Form PTO-1449 are being brought to the attention of the Examiner for consideration in connection with the examination of the patent application filed herewith. A copy of each reference cited is enclosed herein.

Applicants submit that this Information Disclosure Statement is being submitted along with the fee set forth in 37 C.F.R. §1.17(p). Accordingly, no certification is required for the consideration of the cited references.

Also, there is reserved the right to later set forth how the instant invention is distinguished over the disclosure of any reference or other art, including the disclosures of those references and other information discussed herein, that may be cited by the Examiner in rejecting a claim in the instant patent application.

03/23/2004 RMRB11 00000131 130206 10046500
01 FC:1806 180.00 DA

In re Appln. of Richards, et al.
Appln. No. ¹⁰/046,500

The citation of the above documents and other information is not to be construed as an assertion that more pertinent art could not possibly be in existence.

It is respectfully requested that the Examiner indicate consideration of the cited references by returning a copy of the enclosed Form PTO-1449 with initials or other appropriate remarks.

The Office Action mailed February 9, 2004, refused to review these, and other, references pursuant to 37 C.F.R. §1.97, 1.98 and MPEP 609 because they lack publication dates. As a result, references JA-JE of the Form PTO-1449 submitted on November 10, 2003, were not reviewed by the Office. Applicants resubmit herewith references JD and JE with publication dates. The publication dates of references JA-JC are not known.

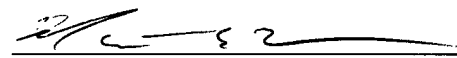
Please charge the fee due under 37 C.F.R. §1.17(p) to Deposit Account No. 13-0206.

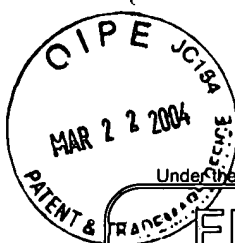
Respectfully submitted,

McDERMOTT, WILL & EMERY

Date: March 19, 2004

McDERMOTT, WILL & EMERY
227 West Monroe Street
Chicago, Illinois 60606-5096
Telephone: (312) 372-2000


Matthew E. Leno
Registration No. 41,149
Attorney for Applicant



Image

3727 \$

PTO/SB/17 (10-03)

Approved for use through 07/31/2006. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 180

Complete if Known

Application Number	10/046,500
Filing Date	October 24, 2001
First Named Inventor	Richards, et al.
Examiner Name	S. Nolan
Art Unit	3727
Attorney Docket No.	24180-124005

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

Deposit
Account
Number
Deposit
Account
Name

13-0206

McDermott, Will & Emery

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments

☒ Charge any additional fee(s) or any underpayment of fee(s)

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	770	2001	385	Utility filing fee	
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	

SUBTOTAL (1) (\$) 0

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

	Extra Claims	Fee from below	Fee Paid
Total Claims	-20** = 0	X 18	= 0
Independent Claims	-3** = 0	X 86	= 0
Multiple Dependent			

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
1202	18	2202	9	Claims in excess of 20
1201	86	2201	43	Independent claims in excess of 3
1203	290	2203	145	Multiple dependent claim, if not paid
1204	86	2204	43	** Reissue independent claims over original patent
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$) 0

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	420	2252	210	Extension for reply within second month	
1253	950	2253	475	Extension for reply within third month	
1254	1,480	2254	740	Extension for reply within fourth month	
1255	2,010	2255	1,005	Extension for reply within fifth month	
1401	330	2401	165	Notice of Appeal	
1402	330	2402	165	Filing a brief in support of an appeal	
1403	290	2403	145	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,330	2453	665	Petition to revive - unintentional	
1501	1,330	2501	665	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1503	640	2503	320	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	180
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	770	2809	385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	770	2810	385	For each additional invention to be examined (37 CFR 1.129(b))	
1801	770	2801	385	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 180

SUBMITTED BY

(Complete if applicable)

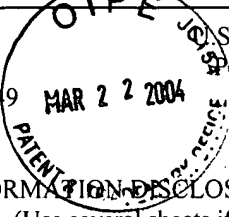
Name (Print/Type)	Matthew E. Leno	Registration No. (Attorney/Agent)	41,149	Telephone	(312) 372-2000
Signature		Date	March 19, 2004		

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS.

SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

(Rev. 5/92) Comparable to Form PTO-1449		U.S. Department of Commerce Patent and Trademark Office		Docket No: 24180-124005		Appl. No. 10/046,500	
 INFORMATION DISCLOSURE CITATION (Use several sheets if necessary)				Applicants: Richards et al.			
				Filing Date: October 24, 2001		Group: 3727	
				OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)			
	JD	Phillip T. DeLassus and Nicole F. Whiteman, "Physical and Mechanical Properties of Some Important Polymers", <u>Polymer Handbook</u> , 4th ed., pp. 159-169 (February 22, 1999).					
	JE	Ethylene Polymers, Vol. 6, <u>Encyclopedia of Polymer Science and Engineering</u> , Vol. 6, pp. 420-423 (1986).					
Examiner				Date Considered			
*Examiner: Initial if citation considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.							